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7 *Attorneys for Defendants*
8 *Nevada Department of Corrections (NDOC),*
James Baumgras, Karissa Currier,
Marquise L. Franklin, Nicole Holston,
Gabriela Garcia-Najera, Dean Medeiros,
Jennifer Nash, Dwight Neven,
10 *Ronald Oliver, Dario Sanchez,*
Andrew Trujillo and Harold Wickham

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 ROSEMARY VANDECAR,

Case No. 2:20-cv-02150-ART-BNW

15 Plaintiff,

**DEFENDANTS' MOTION TO EXTEND
DEADLINE TO SUBMIT
CONFIDENTIAL SETTLEMENT
CONFERENCE STATEMENT
(FIRST REQUEST)**

16 vs.

17 CHARLES DANIELS, *et al.*,

18 Defendants.

19 Defendants, Nevada Department of Corrections ("NDOC"), James Baumgras,
20 Karissa Currier, Marquise L. Franklin, Nicole Holston, Gabriela Garcia-Najera, Dean
21 Medeiros, Jennifer Nash, Dwight Neven, Ronald Oliver, Dario Sanchez, Andrew Trujillo,
22 and Harold Wickham, by and through counsel, Aaron D. Ford, Attorney General of the
23 State of Nevada, and Taylor M. L. Rivich, Deputy Attorney General, hereby move for a five
24 (5) day extension of time to submit their confidential settlement conference statement, from
25 March 3, 2023, to March 8, 2023. This is the first request for an extension of deadlines set
26 forth in this Court's Order Scheduling Settlement Conference (ECF No. 68).

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1 **I. RELEVANT BACKGROUND**

2 On February 8, 2023, the Court issued an Order Scheduling Settlement Conference,
3 stating that each party's written evaluation must be submitted by 4:00 on March 3, 2023.
4 ECF No. 68 at 3-4.

5 **II. LEGAL STANDARD**

6 The Court may extend deadlines upon a showing of good cause. Fed. R. Civ. P. 6(b).

7 **III. DECLARATION OF TAYLOR M. L. RIVICH**

8 1. I, Taylor Rivich, declare under penalty of perjury that the following is true and
9 correct of my own personal knowledge and if called to testify in this matter I would
10 testify as follows:

11 2. I am the Deputy Attorney General currently assigned to represent Defendants
12 NDOC, Baumgras, Currier, Franklin, Holston, Garcia-Najera, Medeiros, Nash,
13 Neven, Oliver, Sanchez, Trujillo, and Wickham, in this matter. I entered an
14 appearance for these Defendants on November 21, 2022.

15 3. Currently, I am responsible for managing approximately 30-35 active cases.

16 4. This week, from February 27, 2023, through March 2, 2023, I prepared for and
17 participated in a jury trial in a separate matter, *David Levoyd Reed v. James*
18 *Dzurenda, et al.*, USDC 2:19-cv-00326-CDS-NJK, which is lasting longer than
19 expected.

20 5. My presence at the Court is likely to be required today, March 3, 2023, as well, if the
21 jury reaches a verdict.

22 6. Additionally, in preparation for the settlement conference, scheduled for March 10,
23 2023, I requested numerous documents from NDOC, which appear to still be
24 trickling in.

25 7. I believe that pushing the deadline to March 8, 2023, will give me sufficient time to
26 review all relevant documentation and prepare a well-written evaluation of the case.

27 8. I am not requesting a continuance of the settlement conference, only an extension of
28 the deadline to submit a written evaluation. Plaintiff will not be prejudiced.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 **IV. CONCLUSION**

3 Given the trial this week and the lack of prejudice to other parties, Defendants
4 respectfully request the Court order that March 8, 2023, be the new deadline to submit
5 their written evaluation of the case prior to the settlement conference on March 10, 2023.

6 DATED this 3rd day of March 2023.

7 AARON D. FORD
8 Attorney General

9 By: /s/ Taylor M. L. Rivich
10 TAYLOR M. L. RIVICH (Bar #15991)
Deputy Attorney General

11 *Attorneys for Defendants*
12 *Nevada Department of Corrections (NDOC),*
13 *James Baumgras, Karissa Currier,*
14 *Marquise L. Franklin, Nicole Holston,*
15 *Gabriela Garcia-Najera, Dean Medeiros,*
Jennifer Nash, Dwight Neven,
Ronald Oliver, Dario Sanchez,
Andrew Trujillo and Harold Wickham

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17 **ORDER**

18 IT IS ORDERED that ECF No. 69 is GRANTED.

19

20 IT IS FURTHER ORDERED that the Settlement Conference is **rescheduled** to
21 3/30/2023 at 10:00 a.m. by Zoom video conference. The Court will circulate a Zoom
invitation closer to the Settlement Conference.

22 IT IS FURTHER ORDERED that the pre-Settlement Conference Telephonic
23 Conference is **rescheduled** to 3/29/2023 at 3:00 p.m. Counsel is kindly directed to
call (877) 810-9415, access code 2365998.

24

25 IT IS SO ORDERED
DATED: 10:02 pm, March 07, 2023

26

27 
BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on March 3, 2023, I electronically filed the foregoing **DEFENDANTS' MOTION TO EXTEND DEADLINE TO SUBMIT CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT (FIRST REQUEST)** via this Court's electronic filing system. Parties who are registered with this Court's electronic filing system will be served electronically.

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/s/ Andrea Beckett
ANDREA BECKETT, an employee of the
Office of the Nevada Attorney General